



H.R. 5683 – GOVERNMENT ACCOUNTABILITY OFFICE ACT OF 2008

FLOOR SITUATION

H.R. 5683 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Danny Davis (D-IL) on April 2, 2008. The House Committee on Oversight and Government Reform agreed to the bill, as amended, on May 1, 2008.

H.R. 5683 is expected to be considered on the floor of the House on June 3, 2008.

SUMMARY

H.R. 5683 requires specified minimum percentage pay increases and lump sum back payments for certain Government Accountability Office (GAO) officers and employees. The bill supplements GAO's pay-for-performance pay system with a 'floor guarantee' for employees to ensure that, as long as they perform satisfactorily, they will receive an annual pay increase at least as great as that paid under the General Schedule (GS) system.

The bill also revises the highest basic pay rate for GAO personnel to Executive Level III (\$158,500 per year). H.R. 5683 makes funds appropriated to GAO for salaries and expenses also available for recruitment-related meals and entertainment.

The bill additionally establishes an Office of the Inspector General within the GAO, and requires the I.G. to report semiannually to the Comptroller General (CG). H.R. 5683 requires the Comptroller General's annual report to Congress to assess the overall degree of federal agency cooperation with GAO audits. The bill increases from 15 to 20 the number of experts and consultants whose services the Comptroller General may procure for renewable three-year terms.

The bill also expands GAO's authority to interview federal agency employees and administer oaths to witnesses in conjunction with investigations.

H.R. 5683 also requires any executive agency that prepares an audited financial statement to reimburse GAO the cost of any GAO audit of such statement.

BACKGROUND

Under the auspices of the Government Accounting Office Human Capital Reform Act of 2004 (P.L. 108-271), the Comptroller General denied certain employees whose job performance at least 'met expectations' the annual GAO across-the-board increase in 2006 and 2007.

At the time the GAO Reform Act of 2004 was first being considered by Congress, Members of the House Committee on Oversight and Government Reform initially expressed concern about whether employees who "met or exceeded expectations" would get the annual cost of living adjustment. An agreement was reached between the Committee and GAO that the Comptroller General would commit to doing so on the record. At a July 16, 2003, hearing on GAO's human capital proposal before the House Subcommittee on Civil Service and Agency Organization, the Comptroller General guaranteed annual across-the-board purchase power protection to all employees performing at a satisfactory level or above, barring extraordinary economic circumstances or severe budgetary constraints.

The Government Accountability Office (GAO) is the audit, evaluation, and investigative arm of the United States Congress. The GAO was established as the General Accounting Office by the Budget and Accounting Act of 1921 (P.L. 67-13). The GAO is headed by the Comptroller General of the United States. The



LEGISLATIVE DIGEST

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Comptroller General (currently David Walker) is appointed by the President, with the consent of the Senate, for a 15-year term. GAO employs a workforce of approximately 3,100 individuals.

ADDITIONAL VIEWS

According to Oversight and Government Reform Ranking Member Tom Davis (R-VA):

"The legislation includes language giving GAO specific access to Medicare Part D data held by the Department of Health and Human Services as well as trade secrets data held by the Food and Drug Administration: GAO requested neither of these authorities in its proposal last summer, both of which are aimed at issues of particular interest to the current majority. Congress has access to that information now and we are free to share it with GAO.

Further, this bill includes language to expand GAO's authority to interview agency employees and administer oaths to witnesses in conjunction with investigations. By increasing GAO's investigative powers, I am concerned we will trigger a chilling effect on GAO's relationship with federal agencies--resulting in agencies being less forthcoming in providing information and diminishing GAO's role in improving government operations and promoting best practices in the federal government."

[H.R. 5683 Committee Report](#)

COST

According to the Congressional Budget Office (CBO), implementing H.R. 5683 "would cost about \$11 million over the 2009-2013 period," assuming appropriation of the necessary amounts.

[Full CBO cost estimate for H.R. 5683](#)

STAFF CONTACT

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